

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re:	:	
	:	Case No.: 21-10015
Tikeeia W Bullock	:	Chapter 13
	:	Judge Ashely M. Chan
Debtor(s)	:	*****
	:	*
	:	
JPMorgan Chase Bank, N.A.	:	Date and Time of Hearing
	:	Place of Hearing
vs	:	June 22, 2021 at 11:00 a.m.
	:	
Tikeeia W Bullock	:	
Marland Michael Battle	:	
	:	
William C. Miller, Esq.	:	
Respondents.	:	

**MOTION OF JPMORGAN CHASE BANK, N.A. FOR RELIEF FROM THE
AUTOMATIC STAY AND CO-DEBTOR STAY REGARDING THE PERSONAL
PROPERTY KNOWN AS 2018 MAZDA CX-5, VIN JM3KFBCM4J0319038**

JPMorgan Chase Bank, N.A. (the "Creditor"), by and through the undersigned counsel, files this Motion for Relief from the Automatic Stay and from the Co-Debtor Stay pursuant to 11 U.S.C. § 362, 11 U.S.C. § 1301, and other sections of Title 11 of the United States Code, and under Federal Rules of Bankruptcy Procedure 4001 and 6007 for an order conditioning, modifying, annulling, or dissolving the automatic stay, averring as follows.

1. This is an action arising pursuant to a case under Title 11 of the United States Code.
2. Creditor is a lending institution duly authorized to conduct business in the Commonwealth of Pennsylvania.
3. Creditor is a party-in-interest in the above referenced Bankruptcy matter as it is a secured creditor of the Debtor.

4. The Court has jurisdiction over this matter under 28 U.S.C §§ 157 and 1334. This is a core proceeding under 28 U.S.C. § 157(b)(2). The venue of this case and this Motion is proper under 28 U.S.C. §§ 1408 and 1409.
5. On February 24, 2018, Tikeeia W Bullock (the "Debtor") and Marland Michael Battle (the "Co-Debtor") obtained a loan from JPMorgan Chase Bank, N.A. in the amount of \$31,972.16 for the purchase of a 2018 Mazda CX-5, VIN JM3KFBCM4J0319038 ("Collateral"). Debtor agreed to make periodic payments to JPMorgan Chase Bank, N.A. Such loan was evidenced by a Closed-End Motor Vehicle Lease Agreement (the "Contract"), a copy of which is attached hereto as Exhibit A.
6. To secure payment of the Contract, Debtor delivered the Commonwealth of Pennsylvania Certificate of Title for a Vehicle (the "Title") to the Collateral to Creditor or Creditor's predecessor-in-interest. On or about March 5, 2018, Creditor or Creditor's predecessor-in-interest perfected its security interest in the Collateral by delivering the Title along with the appropriate application and fees to the Department of Transportation of the Commonwealth in accordance with Pa.C.S. § 1132.1(a). As a result, Creditor has a valid security interest in the Collateral. A copy of the Title is attached hereto as Exhibit B.
7. Creditor believes the clean retail value of the Collateral to be \$25,150.00 based upon the NADA Used Cars/Trucks guide dated May 20, 2021, a copy of which is attached hereto as Exhibit C.
8. On January 5, 2021, Debtor filed a voluntary petition for relief under Chapter 13 of the United States Bankruptcy Code ("Petition").

9. Debtor has failed to make full post-petition payments in the amount of \$308.90 for the month of February 2021 and \$311.98 for the months of March 2021 and April 2021, as of May 20, 2021, and is in default in the amount of \$932.86.
10. The lease expired on February 26, 2021 and Debtor has not returned the vehicle or obtained a loan in order to enable Debtor to purchase the leased vehicle from Creditor. Pursuant to the terms of the contract, the full balance is due upon lease maturity. As of May 20, 2021, there is currently due and owing on the Contract the outstanding principal balance of \$17,137.19, plus interest accruing thereon at the rate of 0% per annum. This amount is broken down as follows:

Total Loan Balance	
Description	Amount
Principal	\$17,137.19
Interest	\$0.00
Late charges	\$0.00
Tax Due	\$1,376.47
Payment Due	\$932.86
Term Charge	\$50.00
Less Contractual Suspense Funds	\$(0.00)
Total: \$19,496.52	

11. Creditor seeks relief from the automatic stay pursuant to 11 U.S.C. § 362(d) to proceed under applicable nonbankruptcy law to enforce its remedies to repossess and sell the Collateral.
12. Creditor is entitled to relief from the automatic stay for the following reason(s):
- a. Creditor lacks adequate protection of its secured interest in the Collateral pursuant to 11 USC § 362(d)(1) as a result of Debtor's failure to make payments when due.

WHEREFORE, JPMorgan Chase Bank, N.A. respectfully requests this Honorable Court to enter an order terminating the Automatic stay and the Co-Debtor Stay as it affects the interests of JPMorgan Chase Bank, N.A. in the Collateral, and granting such other relief as this Honorable Court may deem just.

Respectfully submitted,

/s/ Sarah E. Barngrover

Sarah E. Barngrover, Esquire (323972)

Adam B. Hall (323867)

Manley Deas Kochalski LLC

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Attorneys for Creditor

The case attorney for this file is Sarah E. Barngrover.

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	:	
William C. Miller, Esq.	:	
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Motion of JPMorgan Chase Bank, N.A. for Relief from the Automatic Stay and Co-Debtor Stay regarding the Personal Property known as 2018 Mazda CX-5, VIN JM3KFBCM4J0319038 was served on the parties listed below via e-mail notification:

Office of U.S. Trustee, Party of Interest, (Registered address)@usdoj.gov

WILLIAM C. MILLER, Esq., Chapter 13 Trustee, P.O. Box 1229, Philadelphia, PA 19105, ecfemails@ph13trustee.com

BRAD J. SADEK, Attorney for Tikeeia W Bullock, Sadek and Cooper, 1315 Walnut Street, Suite 502, Philadelphia, PA 19107, brad@sadeklaw.com

The below listed parties were served via regular U.S. Mail, postage prepaid, on June 1 _____, 2021:

Tikeeia W Bullock, 1944 Penfield Street, Philadelphia, PA 19138

Marland Michael Battle, 1944 Penfield St, Philadelphia, PA 19138

DATE: June 1, 2021 _____

/s/ Sarah E. Barngrover

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Attorneys for Creditor
The case attorney for this file is Sarah E.
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